

**UNITED STATES
PATENT AND TRADEMARK OFFICE**





Patent Public Advisory Committee Quarterly Meeting

Examination Time Analysis

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EXAMINATION TIME ANALYSIS: WHY?

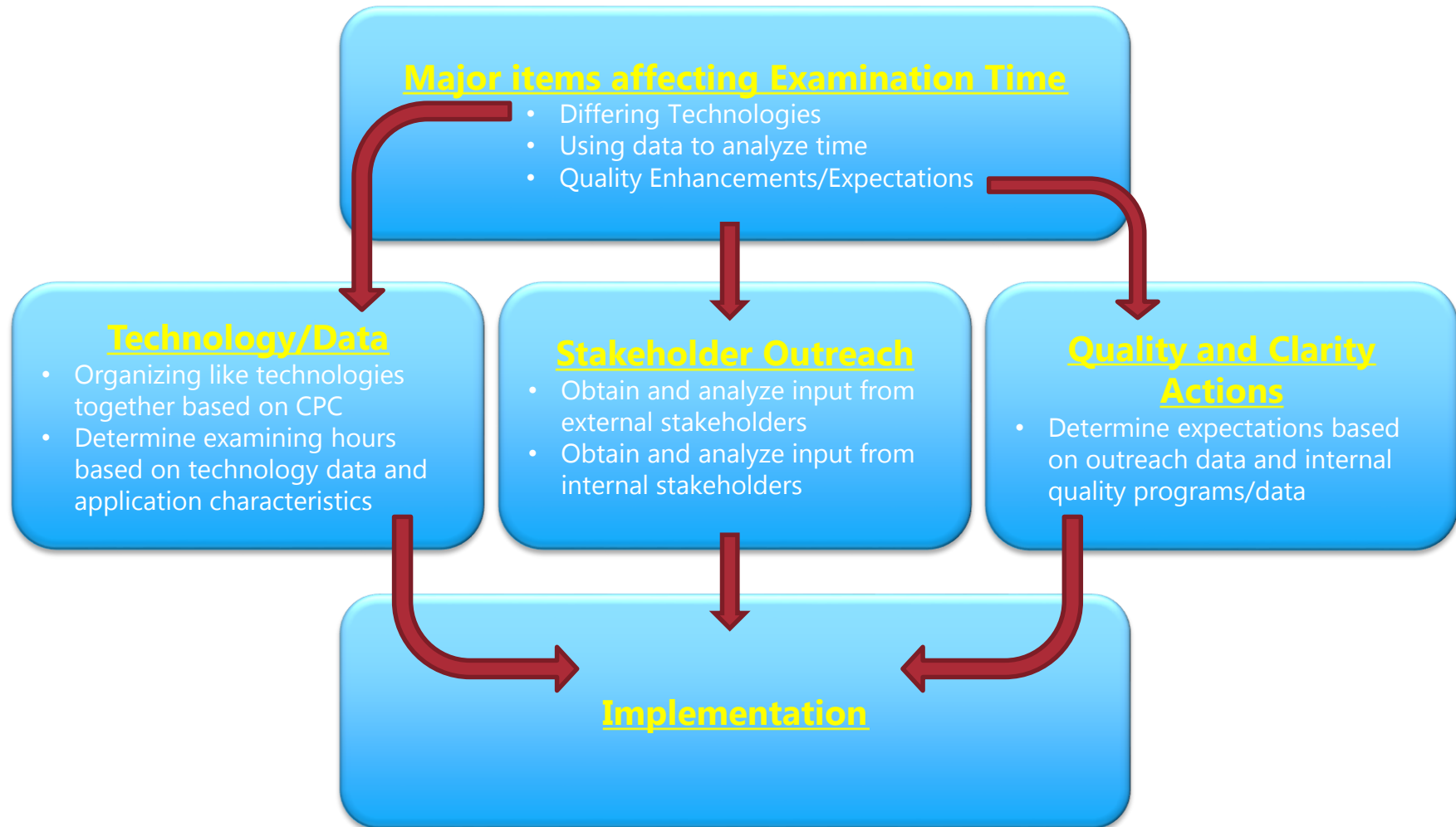
We will establish the optimal pendency and quality levels for both patents and trademarks that will enable us to operate efficiently and effectively in a steady-state maintenance mode, while considering the expectations of the IP community. –USPTO Strategic Plan 2014-2018

EXAMINATION TIME ANALYSIS: Why now?

- Properly calibrated examination time is critical for establishing optimal pendency and quality levels
- Patent prosecution has substantially changed since goals were established. For example:
 - New technologies and increased technological complexity
 - Exponential growth of available prior art
 - Transition to the Cooperative Patent Classification (CPC)
 - Increased use of Electronic tools
 - Changes in policy and legal interpretations

EXAMINATION TIME ANALYSIS: Why now?

- There has not been a comprehensive reevaluation of examination time since the current examination time expectancies were established in the 1970s.
- Recent reports by oversight bodies such as the General Accounting Office and Office of the Inspector General have recommended that the USPTO reevaluate examination time.



Internal Outreach – Examiner & SPE Surveys

- All Patent Examiners and SPEs had the opportunity to participate in a comprehensive survey to provide ideas, experiences, and priorities concerning productivity and the production system.
 - Examiner Participation
 - Total Respondents: 6,912 (83% of Corp)
 - General Comments: 897
 - SPE Participation
 - Total Respondents: 425 (68% of Corp)
 - General Comments: 218

External Outreach

- Federal Register Notice published October 25th to public solicit feedback and announce roundtables.
 - 4 roundtables held in were held in Alexandria and the USPTO Regional offices in Dallas, Denver, and San Jose.
 - Approx. 90 attendees
 - Website: <https://www.uspto.gov/patent/initiatives/eta-external-outreach>
 - Written comments:
 - 36 [emailed](#) (27 individuals, 6 companies, 3 IP Organizations)
 - 6 comments on [IdeaScale](#)

Next Steps

- Analyze the results of both external and internal stakeholder outreach.
- Continue to evaluate additional factors impacting examination time such as:
 - Application data and prior art searching by technology
 - Recently established quality initiatives
 - Grouping of like technologies leveraging CPC

Next Steps

- Recommend changes to current examination time and negotiate these changes with the labor union.
 - Additionally, the effort will seek to develop an agile process that will allow the UPSTO to revisit and revise examination time on a more frequent basis in order to readily adapt to any future changes.

Questions and Comments

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